IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY THE EIGHTEENTH DAY OF AUGUST
TWO THOUSAND AND FOUR
: PRESENT:
THE HON'BLE MR. JUSTICE: **L. NARASIMHA REDDY**

C. M. A. No. 1272 of 2004

(Appeal under Order 43 Rule 1 of C.P.C. against the Order of the Court of the IV Senior Civil Judge, City Civil Court, Hyderabad, made in I. A. No. 337 of 2004 in O. S. No. 2098 of 2004, dated 31-03-2004.)

Between:

M/s. Anand Cine Service, H. No. C-18, Filmnagar Jubilee Hills, Hyderabad-5000034, rep. by its Manager Mr. G. P. Ravi Kumar S/o. Purushottam Rao, 42 years, R/o. Flat No. 3, Block No. 4, D. Type Flats, Filmnagar, Jubilee Hills, Hyderabad.

….Appellant

AND

1. Mr. K. Damodar Reddy S/o Late K. Mohan Reddy, Occ: Retd. Govt. Servant, R/O H. No. 8-2-393/J/III/82/329/1, Road No. 79, Jubilee Hills, Hyderabad.
2. Jubilee Hills Co-operative House Building Society, rep. by its Special Officer, Road No. 7, Jubilee Hills, Hyderabad.

….Respondents

The petition coming on for hearing, upon perusing the petition and grounds filed in support thereof and the order of the High Court dated 23-04-2004, 01-07-2004, 09-07-2004 and 16-07-2004 and made in C.M.P. Nos. 9655, 9656 of 2004 and dated: 24-06-2004 made herein and and upon hearing the arguments of Mr. K. Ramakanth Reddy, Advocate for the Appellant and of Mr. Y. Visweswara Rao, Advocate on behalf of the Respondent No. 1, the Court made the following

ORDER:

"The C.M.A is argued at length. Almost at the conclusion of the arguments, a proposal emanated from learned counsel for the appellants that there is a surious dispute as to the existence of any compound wall, encircling the area of 702 sq. yards in question. After drawing the attention of this Court to an application dated: 07-08-2003 made by the first respondent, he submits that there is every likelihood of the new walls being constructed. Both the counsel agree that an Advocate –Commissioner may be appointed by this Court, so that an inspection can be undertaken today itself.

Hence, Sri T. Srikanth Reddy, Advocate, is appointed as Commissioner to visit the suit schedule property and he shall prepare a sketch showing (a) Plot No. 329, Phase-III, Jubilee Hills allotted to the first respondent; (b) existence of compound wall encircling the area over and above the extent of Plot NO. 329; as well as the servant quarter in it. He shall also be entitled to take photographs, if he finds, if necessary.

His fee is fixed at Rs. 5,000/- (Rupees five thousand only).

Post the matter for judgment on 20-08-004".

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The IV Senior Civil Judge, City Civil Court, Hyderabad.
2. Mr. K. Damodar Reddy S/O Late K. Mohan Reddy, Occ: Retd. Govt. Servant, R/O H. No. 8-2-393/J/III/82/329/1, Road No. 79, Jubilee Hills, Hyderabad.
3. The Special Officer, Jubilee Hills Co-operative House Building Society, Road No. 7, Jubilee Hills, Hyderabad.
4. Mr. G. P. Ravi Kumar S/o. Purushottam Rao, 42 years, Manager, M/s. Anand Cine Service, H. No. C-18, Filmnagar Jubilee Hills, Hyderabad-5000034, R/o. Flat No. 3, Block No. 4, D. Type Flats, Filmnagar, Jubilee Hills, Hyderabad.
5. Mr. T. Srikanth Reddy, Advocate, High Court of A.P., Hyderabad. **(BY SPECIAL MESSENGER with a copy of petition and memo of grounds)**
6. Mr. K. Ramakanth Reddy, Advocate, High Court of A.P., Hyderabad. (OPUC)
7. Mr. Y. Visweswara Rao, Advocate, High Court of A.P., Hyderabad. (OPUC)
8. One spare copy.

Ksv

HIGH COURT

LNRJ

DATE: 18-08-2004

NOTE: POST THE MATTER FOR JUDGMENT ON 20-08-2004

ORDER

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C.M.A. No. 1272 of 2004

INTERIM SUSPENSION GRANTED EARLIER IS EXTENDED TILL 9-4-2002

HIGH COURT

DRAFTED BY : MSR
DRAFTED ON : 28-3-2002

RMBJ & DSMJ

DATE: 27-3-2002

NOTE: POST ON 9-4-2002

ORDER

C.M.A.No. 347 of 2002

INTERIM SUSPENSION GRANTED EARLIER IS EXTENDED TILL 9-4-2002